

# United States District Court, Northern District of Illinois

(9)

Name of Assigned Judge or Magistrate Judge	James B. Moran	Sitting Judge if Other than Assigned Judge	
CASE NUMBER	98 C 7108	DATE	10/15/2001
CASE TITLE	Michael J. Vallone et al. Vs. CNA Financial Corp. etc. et al.		

[In the following box (a) indicate the party filing the motion, e.g., plaintiff, defendant, 3rd party plaintiff, and (b) state briefly the nature of the motion being presented.]


**MOTION:**

## Memorandum Opinion and Order

**DOCKET ENTRY:**

- (1) ☐ Filed motion of [ use listing in "Motion" box above.]
- (2) ☐ Brief in support of motion due \_\_\_\_\_.
- (3) ☐ Answer brief to motion due \_\_\_\_\_. Reply to answer brief due \_\_\_\_\_.
- (4) ☐ Ruling/Hearing on \_\_\_\_\_ set for \_\_\_\_\_ at \_\_\_\_\_.
- (5) ☐ Status hearing[held/continued to] [set for/re-set for] on \_\_\_\_\_ set for \_\_\_\_\_ at \_\_\_\_\_.
- (6) ☐ Pretrial conference[held/continued to] [set for/re-set for] on \_\_\_\_\_ set for \_\_\_\_\_ at \_\_\_\_\_.
- (7) ☐ Trial[set for/re-set for] on \_\_\_\_\_ at \_\_\_\_\_.
- (8) ☐ [Bench/Jury trial] [Hearing] held/continued to \_\_\_\_\_ at \_\_\_\_\_.
- (9) ☐ This case is dismissed [with/without] prejudice and without costs[by/agreement/pursuant to]  
☐ FRCP4(m) ☐ General Rule 21 ☐ FRCP41(a)(1) ☐ FRCP41(a)(2).
- (10) ☒ [Other docket entry] Enter Memorandum Opinion and Order. On October 1, 2001, we directed defendant to furnish to the court various documents for in camera review, and it has done so. The motion to compel is granted as indicated and is otherwise denied.

- (11) ☒ [For further detail see order attached to the original minute order.]

<input type="checkbox"/> No notices required, advised in open court.	 ED-7 FILED FOR DOCKETING OCT 15 AM 11:10	number of notices	<b>Document Number</b>  85
<input type="checkbox"/> No notices required.		OCT 15 2001 date docketed	
<input type="checkbox"/> Notices mailed by judge's staff.		<i>mm</i> docketing deputy initials	
<input type="checkbox"/> Notified counsel by telephone.		date mailed notice	
<input checked="" type="checkbox"/> Docketing to mail notices.		mailing deputy initials	
<input type="checkbox"/> Mail AO 450 form.			
<input type="checkbox"/> Copy to judge/magistrate judge.			
WAH	courtroom deputy's initials	Date/time received in central Clerk's Office	

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

MICHAEL J. VALLONE and )  
JOYCE E. HEIDEMANN, and JAMES )  
J. O'KEEFE, on behalf of themselves )  
and all other plaintiffs similarly situated )  
known and unknown, )

Plaintiffs, )

vs. )

No. 98 C 7108

CNA FINANCIAL CORPORATION, )  
a/k/a CNA Casualty of Illinois, and )  
The CONTINENTAL INSURANCE )  
COMPANY, and all their subsidiaries, )  
parent companies, partnerships, and )  
corporations, )

Defendants. )

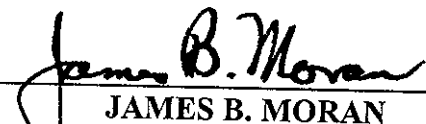
**DOCKETED**  
OCT 15 2001

MEMORANDUM OPINION AND ORDER

On October 1, 2001, we directed defendant to furnish to the court various documents for *in camera* review, and it has done so. The documents are from the files of Melvin Katzman, vice-president and associate general counsel and, with few exceptions, they are privileged or work product, or both. Most contain the handwritten editing of various documents by, presumably, the legal department, documents which, it appears, would have been published in a final form and have long since been furnished to plaintiffs in that form. A couple are lists of persons taking early retirement and Katzman was on the distribution list. Those may well not be privileged but are wholly irrelevant to the issues here. In one instance the attorneys for an employee complained that she almost qualified for VSRP, but did not quite, and therefore she was being discriminated against, and the defendant replied. Those two documents are not privileged (although not at all relevant), but the workup of how to

respond is privileged. And some deal with specific legal issues. In short, plaintiffs are entitled to but a few documents (and, we suggest, would not get any comfort from the others). The motion to compel is granted as indicated and is otherwise denied.

Oct. 15, 2001.

  
\_\_\_\_\_  
JAMES B. MORAN  
Senior Judge, U. S. District Court